

FAMILY & MEDICAL LEAVE OVERVIEW
(Excerpts from Policy)

- A. Eligible Employees – To be eligible for leave under this policy the employee must have at least twelve (12) months of service with the Patrick County School System and have worked at least 1250 hours according to the Fair Labor Standards Act in the preceding twelve (12) months during the contract year preceding the commencement of the leave without pay and the employee must have exhausted all eligible compensated leave.
- B. Entitlement:
1. Leave: Any eligible employee is entitled up to a combined total of twelve (12) weeks of unpaid leave per year for the following leave situations:
 - a. The birth and first-year care of a child;
 - b. The adoption or foster placement of a child;
 - c. The illness of an employee's spouse, parent, or child; and
 - d. The employee's own illness.

Employees who qualify for FMLA under items (c) and (d) may receive leave in excess of twelve (12) weeks under the provisions of Regulation GCBD-R, Sick Leave.

2. Benefits During Family and Medical Leave: Employees on family and medical leave shall receive the group health insurance plan coverage on the same conditions as coverage would have been provided if the employee had been working during the period of leave. Other benefits shall be provided according to Patrick County School Division policy for paid or unpaid leave, whichever applies.

C. Modifications and/or Limitations to Entitlement

1. To the extent an eligible employee is entitled to receive paid or unpaid leave under any other applicable leave provisions of this policy, this section merely extends that leave period to twelve weeks, with the period added by this section being unpaid.
2. Where other applicable leave provisions under this policy already provide for twelve or more weeks of leave in any category identified in (B) above, the provisions of this section do not add any more leave for that category.
3. Where an employee is eligible for accrued paid leave under other applicable provisions of this policy, the eligible employee must substitute paid leave for the leave provided for in this section.
4. Eligible employees are not entitled to accrue seniority or employment benefits, including those identified in (B.2) above during the time they are on leave.
5. The entitlement for leave for child care ends after
 - a. the child reaches age one; or
 - b. twelve months after the adoption or foster care placements.
6. When both spouses are employed by the school division, the combined amount of leave for the birth, adoption, and illness of a parent may be limited to twelve weeks in a twelve-month period.

7. Intermittent and Reduced Leave

- a. An eligible employee may not take leave for the birth and care of a child for adoption or foster care placement on an intermittent or reduced leave schedule unless Patrick County School Division agrees.
- b. Intermittent leave or a reduced leave schedule may be taken for other reasons in accordance with this policy when such leave is medically necessary. Patrick County Schools may require the eligible employee to transfer temporarily to an alternative position for which the employee is qualified and which has equivalent pay and benefits and better accommodates recurring periods of leave than the regular employment position of the employee.

D. Employee's Obligations

1. Foreseeable Leave

- a. Notice – When unpaid leave is foreseeable, the employee must provide at least thirty days' notice of the date when leave is to begin, except that if thirty days' notice is not possible, the employee shall provide notice as is practicable.
- b. Scheduling – With respect to family or employee medical treatments which are foreseeable, the employee shall make a reasonable effort to schedule treatment so as not to disrupt unduly the operations of the employer.

2. Medical Excuse

- a. Certification to take leave – Patrick County Schools may require the employee to provide timely certification from the employee's health care provider or a family member's health care provider.
- b. Certification to continue leave – Patrick County Schools may require certification from the health care provider that a serious medical condition of the employee or family member continues to prevent the employee from returning to work.
- c. Certification to return from leave – After receiving leave allowed under this section for personal illness, Patrick County Schools will require the employee to provide certification by the employee's health care provider that the employee is able to resume work.